UNITED STAT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FRANK GOLDSMITH,

Plaintiff,

VS.

JERRY BRADY, SPOKANE COUNTY JAIL and SPOKANE COUNTY,

Defendants.

NO. CV-07-299-EFS

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE

Before the Court, without oral argument, is Plaintiff Frank
Goldsmith's Motion to Voluntarily Dismiss Complaint (Ct. Rec. 8)
pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, IT IS HEREBY ORDERED: Plaintiff's Motion to Voluntarily Dismiss Complaint (Ct. Rec. 8) is GRANTED; the Complaint is DISMISSED WITHOUT PREJUDICE.

Plaintiff also filed a Motion to Wave [sic] Remander [sic] of Filing Fee Collection. (Ct. Rec. 9.) For good cause shown, IT IS HEREBY ORDERED: Plaintiff's Motion to Wave [sic] Remander [sic] of Filing Fee Collection (Ct. Rec. 9) is GRANTED; the institution having custody of Mr. Goldsmith shall cease collection of the filing fee in this action, cause number CV-07-299-EFS.

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT COLLECTION OF THE FILING FEE CEASE -- 1

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IT IS SO ORDERED. The District Court Executive is directed to: 1. Enter this Order: 2 2. Enter judgment of dismissal without prejudice; 3 4 3. Forward a copy to Plaintiff; and 5 4. Close the file. 6 5. The District Court Executive is further directed to send a copy of this Order to the Spokane County Jail, Attn: Jail Office 8 Supervisor, W. 1100 Mallon, Spokane, WA 99260, to forward to the 9 appropriate agency having custody of Plaintiff. The District Court 10 Executive also shall provide a copy of this Order to the Financial 11 Administrator for the United States District Court, Eastern District 12 of Washington. 13 **DATED** this 6^{th} day of December 2007. 14 15 S/ Edward F. Shea EDWARD F. SHEA 16 UNITED STATES DISTRICT JUDGE 17 Q:\Civil\2007\299.DA.Dismiss.wpd 18 19 20 21 22 23 24 25 26 27

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT

COLLECTION OF THE FILING FEE CEASE -- 2